

THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

November 18, 2003

MEMORANDUM

TO: The Designated Agency Ethics Official

FROM: The Secretary

SUBJECT: Delegation of Authority

I. DELEGATION

Under the authority vested in me by section 412 of the Department of Education Organization Act, 20 U.S.C. §3472, I hereby delegate to you the authority to issue an individual waiver of a conflict of interest in accordance with 18 U.S.C. §208(b), and to serve as agency designee for the purpose of issuing individual waivers under 5 C.F.R. §2635.503(c). This section of the Standards of Ethical Conduct for Employees of the Executive Branch provides that those individuals granted the authority to issue individual waivers under 18 U.S.C. §208(b) may also be delegated the authority to issue a waiver permitting an employee to participate in a matter in which the employee's former employer is, or represents, a party, even though the employer had paid an "extraordinary payment" to the employee prior to joining the Department.

II. RESERVATIONS

Authority to issue waivers pursuant to 18 U.S.C. §208(b) and 5 C.F.R. §2636.503(c) for the Deputy Secretary, the Under Secretary, or the General Counsel of this Department is reserved to the Secretary, with the concurrence of the Designated Agency Ethics Official. Authority to issue waivers pursuant to these authorities for the Designated Agency Ethics Official is reserved to the Secretary.

III. REDELEGATION

This authority may not be further redelegated.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegations Control Office and supersedes all previous delegations of these authorities, Delegation Control Numbers EA/EG/66, EG/EGB/67, and EG/EGB-1/68, certified on May 10, 1993.

/s/

Rod Paige

OGC Clearance and Date: /s/ Barry Stevens, 11/4/2003

Certified Date: 11/18/2003

Departmental Delegations Control Officer: /s/ Naty G. Beetle

Control Number: EA/EGB/92